



## CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Public Hearing to Consider Appeal from Marlo Kerner & Associates Regarding the Planning Commission's Denial of its Request to Amend P-D(21), Planned Development District No. 21 (Lakeshore Village), by Modifying the Permitted Uses to Allow a Restaurant with a Cocktail Lounge at 1750 West Kettleman Lane (APN 058-160-86)

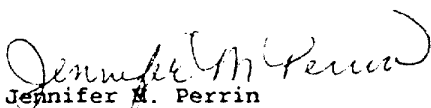
**MEETING DATE:** September 1, 1993

**PREPARED BY:** City Clerk

**RECOMMENDED ACTION:** That City Council, by motion action, continue the public hearing regarding the appeal from Marlo Kerner and Associates to the regular City Council meeting of October 6, 1993.

**BACKGROUND INFORMATION:** The City Council set public hearing for September 1, 1993 to consider the appeal from Marlo Kerner & Associates regarding the Planning Commission's denial of its request to amend P-D(21), Planned Development District No. 21 (Lakeshore Village), by modifying the permitted uses to allow a restaurant with a cocktail lounge at 1750 West Kettleman Lane (APN 058-160-86). Mr. Kerner has requested in a letter dated August 12, 1993 (attached, marked Exhibit A) that the public hearing be continued to October 6, 1993.

**FUNDING:** None required.

  
Jennifer M. Perrin  
City Clerk

COUNC131/TXTA.02J/COUNCOM

APPROVED \_\_\_\_\_

THOMAS A. PETERSON  
City Manager



**MRK**

EX-117A

August 12, 1993

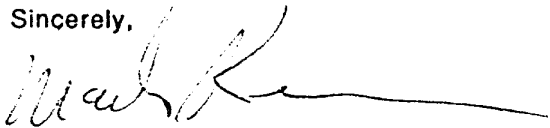
RECEIVED  
93 AUG 19 AM 8:57  
JENNIFER H. PERRIN  
CITY CLERK  
CITY OF LODI

Jennifer Perrin  
City Clerk  
P.O. Box 3006  
Lodi, CA 95241

Dear Ms. Perrin,

Due to extenuating circumstances, I request that my appeal to the city council, scheduled for September 1, 1993, be continued to the meeting of October 6, 1993.

Sincerely,

  
Marlo Kerner

MARLO KERNER & ASSOCIATES  
P. O. Box 1890  
Lodi, California 95241  
Phone (209) 368-0691  
FAX (209) 368-0691

CITY OF LODI  
221 WEST PINE STREET  
LODI, CALIFORNIA 95240

ADVERTISING INSTRUCTIONS

SUBJECT: NOTICE OF PUBLIC HEARING - APPEAL OF PLANNING COMMISSION  
DENIAL OF REQUEST FROM MARLO KERNER & ASSOCIATES

PUBLISH DATES: SATURDAY, JULY 24, 1993

TEAR SHEETS WANTED: THREE

AFFIDAVIT AND BILL TO:

JENNIFER M. PERRIN, CITY CLERK

DATED: JULY 21, 1993

ORDERED BY:

*Peggy Nicolini*  
PEGGY NICOLINI  
DEPUTY CITY CLERK

DECLARATION OF MAILING

On July 22, 1993 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 22, 1993, at Lodi, California.

\_\_\_\_\_  
Jennifer M. Perrin  
City Clerk

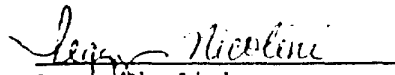
  
\_\_\_\_\_  
Peggy Nicolini  
Deputy City Clerk

EXHIBIT A



# CITY OF LODI

CARNEGIE FORUM  
305 West Pine Street, Lodi

## NOTICE OF PUBLIC HEARING

Date: September 1, 1993

Time: 7:00 p.m.

For information regarding this Public Hearing  
Please Contact:

Jennifer M. Perrin  
City Clerk

Telephone: 333-6702

## NOTICE OF PUBLIC HEARING

September 1, 1993

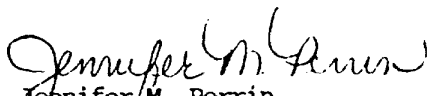
NOTICE IS HEREBY GIVEN that on Wednesday, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing to consider the following matter:

- a) appeal from Marlo Kerner & Associates regarding the Planning Commission's denial of it's request to amend P-D(21), Planned Development District No. 21 (Lakeshore Village), by modifying the permitted uses to allow a restaurant with a cocktail lounge at 1750 West Kettleman Lane (APN 058-160-86).

Information regarding this item may be obtained in the office of the Community Development Director at 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.


If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order Of the Lodi City Council:

  
Jennifer M. Perrin  
City Clerk

Dated: July 21, 1993

Approved as to form:

  
Bobby W. McNatt  
City Attorney

Page 1 of 3

## PUBLIC HEARING LIST

MAILING LIST FOR: Rezoning (Amend P.D(21) 1750 W. Kettelman Ln.		FILE #		
AP #	OWNER'S NAME	MAILING ADDRESS	CITY, STATE	ZIP
7 058-160-86	Marlene Gutierrez et al	541 S Ham Lane	Lodi	95342
-29	Thomas Luckey Constr. Inc	P.O. Box 7428	Stockton	95209
-33	Lakeshore Ltd	5031 El Camino Ave	Carmichael	95608
-25	Taj & Shakila Khan	1112 Rivergate Dr.	Lodi CA	95340
-85	"	"	"	"
-21	Marion Schinke	1521 Lakeshore Dr.	"	95242
-22	Joseph E & R.M. Bewley	1515 Lakeshore	"	"
-23	Norma R Baxter Tr.	1509 Lakeshore	"	"
-34	Dominick & JW Campora	1503 Lakeshore	"	"
-49	Lakeshore Village Owners Assn	4661 Winding River	Stockton	95219
-19	Phillip A. Frieders et al	1709 Timberlake Cir.	Lodi CA	95342
-17	Daymond Carol Freeman	1721 Timberlake "	"	"
-16	Herbert Preszler Jr.	1737 Timberlake "	"	"
-350-01	J.R. Properties Inc	P.O. Box 70391	Stockton	95269
-02	"	"	"	"
-03	"	"	"	"
-04	Feather March Investments	4568 Feather River	"	95219
-05	Cecil & J. Dillon et al	1830 W. Kettelman Lane	Lodi	95242
-06	"	"	"	"
-07	"	"	"	"
390-01	Sheldon Kieger et al	1816 W. Kettelman #A	"	"
-02	Joe Wei & Ting Tan	1816 W. Kettelman #B	"	"
-03	Philip & Linda Abeldt	1816 W. Kettelman #C	"	"
-04	Sheldon Kieger et al	1816 W. Kettelman	"	"
-05	Raymond & Gay Cuenca	535 E. Riverside Dr.	Woodbridge	95358
-06	"	"	"	"
-07	"	"	"	"
400-01	Dutra Leasing Co.	P.O. Box 338	Rio Vista CA	94571
-02	Lakeshore Prof Center Ltd	1806 W. Kettelman #H	Lodi	95342
-03	Kirk & Sharon Stangeland	1806 W. Kettelman #L	"	"
-04	David & Sharidee Nietschke	1806 W. Kettelman #D	"	"
-05	Marlene Gutierrez	541 S Ham Lane	"	"
-06	Dennis B & Ling Bruns	2822 Chauncy Dr.	Stockton	95209
-07	Dutra Leasing Co et al	P.O. Box 338	Rio Vista CA	94571
-08	C.S.B. Development Inc	1806 W. Kettelman Ln #G	Lodi CA	95342
-09	D & B Sasaki Investments	1806 " " #H	"	"
-10	"	"	"	"

EXHIBIT B

## PUBLIC HEARING LIST

Page 2 of 3

MAILING LIST FOR: FILE #				
AP #	OWNER'S NAME	MAILING ADDRESS	CITY, STATE	ZIP
058-400-11	RAYMOND H & BJ Coldani	521 S Ham Lane Ste. F	Lodi CA	95240
-12	Vernon & Marcia Land	1806 W Kettelman St. K	"	"
-13	Angelo Anguano (VO)	1019 Timberlake	"	"
031-000-14	TRUTH AKA SHIRLEY ELAI	1671 E Hwy 12	Bloomington IL	61710
058-360-35	State Farm Auto Ins Co.	01 State Farm Plaza	Lodi	95242
-03	Brucce & Denise Sutherland	1512 Timberlake Cir	"	"
-04	Roger & Judy Marasini	1518 Timberlake Cir	"	"
-02	Alvie L W & M3 Tps	1506 Timberlake Cir	"	"
-02	Christine Redington	1524 Timberlake Cir	"	"
027-040-17	First Nazarene Church	1307 E Hwy 12	"	"
-63	Michael M Crote et al	1826 W Kettelman Ln	"	"
-64	ECF Development Assoc Hpt et al	120 N Pleasant Ave	"	95240
-65	Ronald D Dunscomb et al	76 Maryjory Hiller 412 Buena Vista	Hedesto	95352
---	Marlo & Hazel Kerner	1715 Lakeshore Dr.	Lodi CA	95242
058-160-06	Norman & King Tps	1611 Lakeshore Dr.	"	"
-07	Curt & Beverly Gabrielson	1607 Lakeshore Dr.	"	"
-08	Kevin & Duane O'Connell	1601 Lakeshore Dr.	"	"
-09	Jack & Brenda Sieglack	1702 Timberlake Ckt.	"	"
-10	Shikow & Wal H King	1709 "	"	"
-11	Mark A & Susan Pauly	1714 "	"	"
-12	Melvin & Marles Fines	1720 "	"	"
-13	Louis W & J Corell	1726 "	"	"
-14	Norman & Ann Carlin	1732 "	"	"
-15	Thomas & Pamela Miller	1733 "	"	"
-18	John B Woodbury II	1715 "	"	"
-20	Janet H Goble	1703 "	"	"
058-360-01	Charles Jr & H Jennings	2390 Portland #106	Los Angeles	90007
-06	Carlos & Michele Hegre	1530 Timberlake	Lodi CA	95243
-07	Frank & Terri Stevenson	1526 "	"	"
-08	Scott & Sharon Kohbach	1542 "	"	"
-09	Beverly H Coldani	1548 "	"	"
-10	John & Marie Ettecalde	1554 "	"	"
-11	Robin & Faye Kieger	1560 "	"	"
-12	Grant & Kathy Fawcett	1600 "	"	"
-13	Norman & Linda Howry	1606 "	"	"
-14	Douglas A & C R Hieb	1612 "	"	"

Subsequent mailing

PUBLIC HEARING LIST

EKERNER

MAILING LIST FOR: Rezoning (Amend P-0(21) 1750 W. Kellenian Ln. FILE #			
AP#	OWNER'S NAME	MAILING ADDRESS	CITY, STATE ZIP
058-260-15	DAVID & KIM DUKE	1618 Timberlake	Los Angeles CA 95243
-16	HARRY K & K W STEWART	"	"
-17	BARTHOLOMEW S WHITE	"	"
-18	WILLIAM A & K A MORRIS	"	"
-19	ROCKY K & PAT O YORKE	"	"
-20	ELTON & RAMEL SCHNEIDER	"	"
-21	THOMAS W & JONI ALEXANDER	"	"
-22	BIRD & BETTY J GALTZER	"	"
-23	BETTY HOPPE & ETAL	"	"
-24	ABDULLAH S. KHOURDaji	"	"
-25	ROBERT & LIXIE SMITH	"	"
-26	DONALD THILL JR.	"	"
-27	EARL & PATRICIA STAIR	"	"
-28	EDWARD & DE MADAMBA	"	"
-29	LAURENCE & R J SCHNEIDER	"	"
-30	GREG & JULIE WEAVER	"	"
-31	EARL JR & DIANA THOMAS	"	"
-32	JAMES V & A B PROVENZA	"	"
-33	MELVIN & EILEEN FREUND	"	"
-34	RONALD W & L B RIM	"	"
-36	Lakeshore Village Owners Assn	4461 Winding River Dr.	Stockton 95207
-37	"	"	"
-38	"	"	"



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\* P E T I T I O N \*

\* \* \* \* \*

WE, THE RESIDENTS OF LAKESHORE VILLAGE IN LODI, CA., HEREBY PROTEST THE REQUEST MADE TO THE PLANNING COMMISSION BY MARLO KERNER AND MARLENE GUTIERREZ TO AMEND P-D(21), PLANNED DEVELOPMENT DISTRICT NO.21, AS INDICATED IN THE "NOTICE OF PUBLIC HEARING" DATED JUNE 1, 1993.

	NAME & ADDRESS	DATE	PHONE NUMBER
1	Judy Marciadini 1518 Timberlake Cir	6/7/93	369-7948
2	Judy Marciadini 1518 Timberlake Cir	6/7/93	369-7948
3	Shirley Summers 1512 Timberlake Cir	6/7/93	334-9147
4	Dennis Sutcliffe 1512 Timberlake Cir	6/7/93	334-9147
5	CARLOS ALEGRE 11530 TIMBERLAKE CIRCLE	6/7/93	339-0951
6	Thelma Alvie	6-7/93	334-0936
7	Lawrence W. Alvie	6-7-93	334-0936
8	Christine Haddington 1524 Timberlake Cir. Lodi	6-7-93	369-6058
9	Mr. Freund	1523	368-4767
10	Penny Freund	Timberlake	368-4767
11	Kurt Muehl	1618 Timberlake	368-3539
12	Mike Stenipke	1536 Timberlake Cir.	368-4694
13	Marie & John Encalade		368-1220
14	1554 Timberlake Cir		11
15	Juli Weaver 1477 Timberlake Cir Lodi	July Weaver	339-8721
16	Doree Ridgway	1630 Timberlake	3398421

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\* P E T I T I O N \*

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WE, THE RESIDENTS OF LAKESHORE VILLAGE IN LODI, CA., HEREBY PROTEST THE REQUEST MADE TO THE PLANNING COMMISSION BY MARLO KERNER AND MARLENE GUTIERREZ TO AMEND P-D(21), PLANNED DEVELOPMENT DISTRICT NO.21, AS INDICATED IN THE "NOTICE OF PUBLIC HEARING" DATED JUNE 1, 1993.

	NAME & ADDRESS	DATE	PHONE NUMBER
✓1	Joseph E. Bowley 1515 Lakeshore Drive	6-8-93	(201) 334-1767
✓2	Janet Goble 1703 Timberlake	6/8/93	209-334-1435
✓3	Jeff Kanan 1703 TIMBERLAKE	6/8/93	209-334-1435
✓4	Sandra Brier 1673 Timberlake	6-8-93	333-3366
✓5	Diana Thomas 1541 Timberlake		3390366
✓6	Sandra G. Higgins 1709 Timberlake		369-1223
✓7	Phil Paulus 1709 Timberlake		369-1223
✓8	Caree Freeman 1721 Timberlake		339-9454
✓9	Raymond Freeman 1738 Timberlake	6-9-93	339-9454
✓10	Paul S. Miller 1738 Timberlake	6/9/93	333-9638
⑪	Carla Hitcher 1714 Timberlake Cir	6/9/93	367-4237
	(810 Wightman Dr. Lodi)		

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\* P E T I T I O N \*

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WE, THE RESIDENTS OF LAKESHORE VILLAGE IN LODI, CA., HEREBY PROTEST THE REQUEST MADE TO THE PLANNING COMMISSION BY MARLO KERNER AND MARLENE GUTIERREZ TO AMEND P-D(21), PLANNED DEVELOPMENT DISTRICT NO.21, AS INDICATED IN THE "NOTICE OF PUBLIC HEARING" DATED JUNE 1, 1993.

NAME & ADDRESS	DATE	PHONE NUMBER
✓ 1. <del>1642</del> <sup>1642</sup> Timberlake Cir	6-8-93	368-4911
✓ 2. Pamela Schneider	6-8-93	368-4911
✓ 3. <del>Bono</del> <sup>1660</sup> <del>Bono</del> Timberlake	6-8-93	339-9570
✓ 4. <del>Little</del> <sup>1660</sup> <del>Little</del> Timberlake	6-8-93	11
✓ 5. Betty L. Hays	6-8-93	1666 Timberlake Cir
✓ 6. Abdalla M. Wajji	6-8-93	269-8310
✓ 7. <del>Sahan</del> <sup>1667</sup> <del>Sahan</del> Timberlake Cir	6-8-93	369-8310
✓ 8. R. C. Phull	6-8-93	369-4823
✓ 9. <del>John</del> <sup>1659</sup> <del>John</del> Timberlake	6-8-93	11
✓ 10. <del>Pat</del> <sup>1659</sup> <del>Pat</del> Timberlake	6-8-93	369-1745
✓ 11. <del>Pat</del> <sup>1659</sup> <del>Pat</del> Timberlake	6-8-93	369-1745
✓ 12. Scott Rehrbach	6-8-93	369-7351
✓ 13. <del>Sharon</del> <sup>1542</sup> <del>Sharon</del> Timberlake	6-8-93	369-7351
✓ 14. Michele M. Negre	6/8/93	339-0951
✓ 15. <del>Ron</del> <sup>1673</sup> <del>Ron</del> Timberlake		333-7344
✓ 16. Norma R. Baxter	1509 Lodi	368-0592

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\* P E T I T I O N \*

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WE, THE RESIDENTS OF LAKESHORE VILLAGE IN LODI, CA., HEREBY PROTEST THE REQUEST MADE TO THE PLANNING COMMISSION BY MARLO KERNER AND MARLENE GUTIERREZ TO AMEND P-D(21), PLANNED DEVELOPMENT DISTRICT NO.21, AS INDICATED IN THE "NOTICE OF PUBLIC HEARING" DATED JUNE 1, 1993.

NAME & ADDRESS	DATE	PHONE NUMBER
TIMOTHY W CHAFFMAN 1745 CAPE COD CIR	06/07/93	334-1754
1725 Cape Cod Circle Lain Gutschow	6-9-93	369-0714
1728 Cape Cod Circle Scott Lindgren	6-9-93	334-6037
Mary Hunchman	6-9-93	334-6037
1715 Mike Greenberg	6-11-93	368-1991
1724 Cape Cod Cir Marlene Chapple	6-12-93	368-1884
1712 Cape Cod Circle Lance Alames		334 3209
1708 Cape Cod Liz Janowitz		334-9404
1736 Frank Peterson Cape Cod Cir		369-3465
Frieda Michelson 1744 Cape Cod Cir		334-2328
Barbara Lutz 1748 C. C. C.		367-1559
Barbara Lutz 1753 C.C.C.		369-8726
1752 Cape Cod Circle Kane L. Reeler		369 8726
1768 Cape Cod Cir K. Matsumura		368 1438
1800 Cape Cod Cir Stephanie Keir		369-2866
1820 Cape Cod Cir Gale Kelly		334-1402

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\* P E T I T I O N \*

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WE, THE RESIDENTS OF LAKESHORE VILLAGE IN LODI, CA., HEREBY PROTEST THE REQUEST MADE TO THE PLANNING COMMISSION BY MARLO KERNER AND MARLENE CUTIERREZ TO AMEND P-D(21), PLANNED DEVELOPMENT DISTRICT NO.21, AS INDICATED IN THE "NOTICE OF PUBLIC HEARING" DATED JUNE 1, 1993.

	NAME & ADDRESS	DATE	PHONE NUMBER
1	✓ SHIU Ming	6/9/93	374 6884
	✓ 1708 Timberlake Cir		
2	1628 Lakeshore Dr Loma Figma		333-1628
3	Beverly Coldani		
	1548 Timberlake Circle		369-2468
4	✓ Linda Mowery	6/9/93	
	✓ 1606 Timberlake Cir.		369-1229
5	✓ William H. Smith		
	✓ 1636 Timberlake Circle		333-1613
6	✓ Faye Riepen 1510 Timberlake		368-9775
7	<del>met + marlis finos met + marlis</del> <del>1720 Timberlake</del>		<del>333-1865</del>
8	✓ Jim Provenzano 1535 TIMBERLAKE CIR		368 0385
9	✓ Alexander Provenzano	" "	" "
10	✓ Janick Campora 1593 Lakeshore Dr		333-8399
11	✓ [Signature]		369-8317
	1727 Timberlake		

WE, THE RESIDENTS OF LAKESHORE VILLAGE IN LODI, CA., HEREBY PROTEST THE REQUEST MADE TO THE PLANNING COMMISSION BY MARLO KERNER AND MARLENE GUTIERREZ TO AMEND P-D(21), PLANNED DEVELOPMENT DISTRICT NO.21, AS INDICATED IN THE "NOTICE OF PUBLIC HEARING" DATED JUNE 1, 1993.

[illegible]

WE, THE RESIDENTS OF LAKESHORE VILLAGE IN LODI, CA., HEREBY PROTEST THE REQUEST MADE TO THE PLANNING COMMISSION BY MARLO KERNER AND MARLENE GUTIERREZ TO AMEND P-D(21), PLANNED DEVELOPMENT DISTRICT NO.21, AS INDICATED IN THE "NOTICE OF PUBLIC HEARING" DATED JUNE 1, 1993.

NAME & ADDRESS	DATE	PHONE NUMBER
Ranate Franks 1819 Cape Cod	6-13-93	331-7500
Green Crisler 1761 Cape Cod Cir	6-13-93	334-9426
Karen Thornton 1757 Cape Cod Cir	6-13-93	368-7954
Wendy Weed 1741 Cape Cod Cir	6-13-93	368-6164
Julia Buchmiller 1737 Cape Cod Cir		334-0485
Brynnle Buchmiller 1737 Cape Cod Cir		334-0485
Lee M. Chapple 1724 Cape Cod Cir		368-1884
Ethel Haley 1704 Cape Cod		334-9643
A.D. Richmond 1764 Cape Cod		368-7446

WE, THE RESIDENTS OF LAKESHORE VILLAGE IN LODI, CA., HEREBY PROTEST THE REQUEST MADE TO THE PLANNING COMMISSION BY MARLO KERNER AND MARLENE GUTIERREZ TO AMEND P-D(21), PLANNED DEVELOPMENT DISTRICT NO.21, AS INDICATED IN THE "NOTICE OF PUBLIC HEARING" DATED JUNE 1, 1993.

DATE \_\_\_\_\_

✓ LARRY J SCHNEIDER 1647 TIMBER LAKE CIR 334-4587  
 2/10/93  
 ✓ ~~John Schneider~~ 1647 TIMBER LAKE CIR 334-4587  
 6-10-93  
 (3) Maidine Okwan 1718 Lakeside Dr. 368-8676



Mr. & Mrs. Roy Denton  
2207 Chaparral Ct.  
Lodi, Ca. 95242

City of Lodi  
City Council  
221 West Pine Street  
Lodi, Ca

Mayor and City Council Members,

**We are strongly urging the City Council to oppose the rezoning of property at the corner of Kettleman and Lakeshore Drive.**

The rezoning will adversely affect the value and livability of the expensive homes in this quiet and well kept development. The proposed Restaurant would bring in unwanted noise, odors/smoke, garbage/pests, excessive traffic and people, along with alcohol related problems. The hours of operation for such a restaurant would conflict with residents "family prime time" and "quiet and Sleep time". All of which would place unwanted and unneeded burdens upon the residents who live nearby, who have invested hundreds of thousands of dollars on their homes and must "live" with the City Council's decision.

The City Planning Commission has done a great job creating a master plan, "carefully" zoning our city to protect landowners and residents as well as establish office and business areas. When zone changes were requested by businesses, the residents of Lodi have had the full support of the Lodi Planning and Zoning Commission, protecting the residents lifestyle and homes. We know the City Council is composed of businessmen and tends to support the "BUSINESS" community. City Council has made it a habit to overturn many of the Planning Commission's decisions, thinking it will bring money into Lodi's economy. We recommend that you support the Lodi homeowners and residents in cases like this.

There is an abundance of available land zoned for business and commercial use in this area. It doesn't make sense to change office zoning to commercial, at the request of "ONE" landowner, when it adversely affects so many of the residents/homeowners living in the immediate area. The economy is very depressed! "Times Are Tough"! But, "WE Lodi Citizens" cannot allow business to tread on the rights of individual homeowners. Homeowners who depended upon and trusted the City, to protect their lifestyles and homes.

As Lodi homeowners or residents, we have all heard, at city council meetings, big and small business owners plead their cases why they "CAN NOT" afford to have additional related businesses brought into the city through rezoning. The Lodi Restaurant owners are in dire need of "PATRONS", not more restaurants! Lodi can't support another restaurant. Ask the owners of Wine and Roses or Angelinos, or small restaurants.

H-1  
RECEIVED

SEP 02 1993

September 1, 1993  
CLARENCE A. PERRY  
CITY CLERK  
CITY OF LODI

As City Council, your decision tonight will indirectly affect the zoning of all the "Office" zoned property, north and south of Kettleman, from the canal to the commercial zoning on Lower Sacramento Rd. "Office zoned" property owners will attempt to force commercial businesses on the surrounding residential neighborhoods. We have already been to City Planning to protect our homes at the Meadows II, and defeated their rezoning bid so far. The Owners are eagerly awaiting "Your decision" so they can destroy our neighborhoods!

The city zoned this property office in accordance with "THE MASTER PLAN". The owners of the Kettleman/Lakeshore property were aware of this zoning, and just because they want a larger financial gain, we feel it is not right or fair that they should benefit at the expense of the immediate property owners and neighborhood.

Therefore we stiongly urge you to deny the rezoning request, and protect our homes, neighborhoods, and the City of Lodi!

Thank you,

*Carol A. Denton*

*Roy S. Denton*

Roy and Carol Denton

4-1  
AL SCHIMMEL  
1705 Cape Cod Circle  
Lodi, California 95242  
(209) 333-7276

RECEIVED  
CITY OF LODI  
AUG 30 1993

August 30, 1993

CITY OF LODI  
Carnegie Forum  
305 West Pine Street  
Lodi, California 95240

**SUBJECT MATTER:**

Regarding the appeal by Marlo Kerner & Associates and a request to amend P-D (21) (Lakeshore Village) and to modify permit uses to allow a restaurant and cocktail lounge be constructed on vacant land at 1750 West Kettleman Lane, Lodi (APN 058-160-86). Previous review by Planning Commission June, 1993.

Dear Sirs/Planning Commission:

I wish to reiterate and re-enforce my views as stated in my previous letter to the Council for the meeting and review in June, 1993.

Lakeshore Drive is the main street egress used by the majority of homeowners of the Lakeshore Village community, and the same, or a portion thereof, will also be the street egress for the proposed subject business.

My views remain the same in that I believe this type of business will most certainly impact the Lakeshore community in a very negative manner.

The scenario is as follows:

The problems start with traffic and parking spilling out onto the street (lack of sufficient parking), unsightly cars parked along the street, oil soaked pavement and deterioration of the street. The homes immediately adjacent to the proposed restaurant business become poorly maintained, and it usually continues in an ever-deepening and widening penetration into the community. Much expense (millions) has gone into construction of the lake and homes adjacent to the lake. There is a large annual expense, borne by

CITY OF LODI  
August 30, 1993  
Page Two

the Lakeshore community, for maintenance of the district and the pride of ownership of both homes and streets is certainly very apparent.

I request the Lodi City Council deny the request to amend P-D (21) Lakeshore and only allow the type of business to be located in the subject location that is conducive to the maintenance of the district and appreciation of property values.

Thank you for your consideration.

Respectfully,

A handwritten signature in cursive script, appearing to read "Al Schimmel".

Al Schimmel

AS:ug

DECLARATION OF MAILING

On September 3, 1993 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 3, 1993, at Lodi, California.

  
Jennifer G. Perrin  
City Clerk

---

Peggy Nicolini  
Deputy City Clerk



**CITY OF LODI**  
CARNEGIE FORUM  
305 West Pine Street, Lodi

**NOTICE OF CONTINUED PUBLIC HEARING**

Date: October 6, 1993

Time: 7:00 p.m.

For information regarding this Public Hearing  
Please Contact:

Jennifer M. Perrin  
City Clerk  
Telephone: 333-6702

**NOTICE OF CONTINUED PUBLIC HEARING**

October 6, 1993

NOTICE IS HEREBY GIVEN that on Wednesday, at the hour of 7:00p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing to consider the following matter:


Continued

- a) appeal from Marlo Kerner & Associates regarding the Planning Commission's denial of it's request to amend P-D(21), Planned Development District No. 21 (Lakeshore Village), by modifying the permitted uses to allow a restaurant with a cocktail lounge at 1750 West Kettleman Lane (APN 058-160-86).

Information regarding this item may be obtained in the office of the Community Development Director at 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

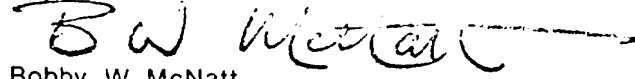
If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order Of the Lodi City Council:

  
Jennifer M. Perrin  
City Clerk

Dated: September 1, 1993

Approved as to form:

  
Bobby W. McNatt  
City Attorney

## PUBLIC HEARING LIST

Page 1 of 3

MAILING LIST FOR:	AP #	OWNER'S NAME	MAILING ADDRESS	CITY, STATE	ZIP
Rezone (Amend P.O.(21) 1750 W. Kettelman Ln -					
158-110-86		Marlene Gutierrez et al	541 S Ham Lane	Lodi	95342
-89		Thomas Luckey Constr Inc	P.O. Box 7438	Stockton	95207
-32		Lakeshore Ltd	5031 El Camino Ave	Cambridge	95608
-35		Tajir Shakila Khan	1112 Ruer-gate Dr.	Lodi, CA	95340
-85		"	"	"	"
-21		Marion Schimke	1521 Lakeshore Dr.	"	95342
-12		Joseph E & R.M. Bewley	1515 Lakeshore	"	"
-23		Norma K Baxter Jr.	1509 Lakeshore	"	"
-34		Dominick & Jill Campora	1503 Lakeshore	"	"
-40		Lakeshore Village Owners Assn	1661 Winding River	Stockton	95219
-19		Phillip A Prieders et al	1709 Timberlake Cir.	Lodi, CA	95342
-17		Raymond Carol Freeman	1721 Timberlake	"	"
-16		Hefbertt Preszler Jr.	1727 Timberlake	"	"
-350-01		J.R. Properties Inc	P.O. Box 70391	Stockton	95369
-02		"	"	"	"
-03		"	"	"	"
-04		Feather March Investments	4568 Feather River	"	95319
-05		Cecil & J. Dallen et al	1830 W. Kettelman Lane	Lodi	9534
-06		"	"	"	"
-07		"	"	"	"
390-01		Sheldon Kieget et al	1816 W. Kettelman #A	"	"
-02		Joe Klei & Mary Jan	1816 W Kettelman #B	"	"
-03		Philip & Lydia Jabeldt	1816 W Kettelman #C	"	"
-04		Sheldon Kieget et al	1816 W Kettelman	"	"
-05		Raymond & Gay Cuenca	535 E Riverside Dr.	Woodbridge	95353
-06		"	"	"	"
-07		"	"	"	"
400-01		Dutra Leasing Co.	P.O. Box 338	Richiesta CA	94571
-02		Lakeshore Properties Ltd	1806 W Kettelman #H	Lodi	95342
-03		Kirk & Sharon Stangland	1806 W Kettelman #L	"	"
-04		David & Shari Dee Nietschke	1806 W Kettelman #D	"	"
-05		Marlene Gutierrez	541 S Ham Lane	"	"
-06		Dennis B & Lina Bruns	2823 Chauncey Dr.	Stockton	95209
-07		Dutra Leasing Co et al	P.O. Box 338	Richiesta CA	94571
-08		C.S.B. Development Inc.	1806 W Kettelman Ln #G	Lodi CA	95343
-09		D & B Sasaki Investments	1806 " " #H	"	"
-10		"	"	"	"

EXHIBIT B

PUBLIC HEARING LIST

Page 2 of 3

MAILING LIST FILE #	OWNER'S NAME	MAILING ADDRESS	CITY, STATE	ZIP
058-400-11	RAYMOND H. BICOLDANI	1846 W. 12th St. #106	Lodi CA	95240
-12	Vernon & Marcia Land	551 S. Hamilton St. #1	"	"
-13	Angelo Almaguero (VO)	1806 W. Kettelman St. #K	"	"
031-010-17	TRITANKA SHIZUYE ELAL	1019 Timberlake	"	"
258-360-35	State Farm Auto Ins Co.	1671 E. Hwy 12	Bloomington IL	61710
-03	Bruce & Denise Sutherland	01 State Farm Plaza	Lodi	95240
-04	Roger & Judy Marasini	1518 Timberlake Cir	"	"
-02	Abbie L. Hill & Nig Tis	1508 Timberlake Cir	"	"
-02	Christine Reddingten	1534 Timberlake Cir	"	"
027-040-17	First Nazarene Church	1207 E. Hwy 12	"	"
-63	Michael M. Crede et al	1826 W. Kettelman Ln	"	"
-64	FCE Development Assoc Inc et al	120 N. Pleasant Ave	"	95240
-65	Ronald D. Dunsecomb et al	16 Mary Hiller & Buena Vista	Hedesto	95353
	Marlo & Hazel Kerner	1715 Lakeshore Dr.	Lodi CA	
058-160-06	Norman & King To	1611 Lakeshore Dr.	"	95242
-07	Curst & Beverly Gabrielson	1607 Lakeshore Dr.	"	
-08	Kevin & Dianne O'Connell	1601 Lakeshore Dr.	"	
-09	Dick & Brenda Sieglack	1702 Timberlake Cir	"	
-10	Shikow & Wai H. King	1708 "	"	
-11	Mark & Susan Paulx	1714 "	"	
-12	Melvin & Maties Fines	1780 "	"	
-13	Louis W. J. Corell	1726 "	"	
-14	Norman G. & Ann Carlin	1732 "	"	
-15	Thomas & Pamela Miller	1733 "	"	
-18	John B. Woodbury II	1715 "	"	
-20	Tanet H. Goble	1703 "	"	
058-260-01	Charles Jr. & H. Jennings	3390 Portland #106	Los Angeles	90007
-06	Charles F. & Michele H. Egge	1530 Timberlake	Lodi CA	95243
-07	Frank & Terri Stevens	1536 "	"	"
-08	Scott & Sharon Kohnbach	1542 "	"	"
-09	Beverly H. Coldani	1548 "	"	"
-10	John & Marie Ettecalde	1554 "	"	"
-11	Kobin & Faye Kieger	1560 "	"	"
-12	Grant & Kathy Fawcett	1600 "	"	"
-13	Norman G. & Linda Henry	1606 "	"	"
-14	Douglas A. & C.R. Hieb	1612 "	"	"

← Subsequent Mailing



MAILING LIST FOR: Rezone (Amend P-D(21) 1750 W. Kettelman Ln.		FILE #		
AP#	OWNER'S NAME	MAILING ADDRESS	CITY, STATE	ZIP
058-260-15	David & Kim Duke	1618 Timberlake	Lodi CA	95242
-16	Harry K & K.W. Stewart	1624 "	"	"
-17	Barbara S. White	1630 "	"	"
-18	William H & E.A. Parrish	1636 "	"	"
-19	Rocky K. & Pat O. Yorke	1642 "	"	"
-20	Florant & Pamela Schneider	1648 "	"	"
-21	Thomas W. & Jani Alexander	1654 "	"	"
-22	Brad & Betty J. Baltzer	1660 "	"	"
-23	Betty Hope Tr. et al	1666 "	"	"
-24	Abdallah & S. Khourdaji	1672 "	"	"
-25	Robert & Dixie Smith	1678 "	"	"
-26	Donald Thull Tr.	1667 "	"	"
-27	Earl & Patricia Stair	1659 "	"	"
-28	Edward & D.D. Madamba	1653 "	"	"
-29	Lawrence & R.J. Schneider	1647 "	"	"
-30	Greg & Julie Weaver	1547 "	"	"
-31	Earl Jr & Diana Thomas	1541 "	"	"
-32	James V & A.B. Provenzano	1535 "	"	"
-33	Melvin & Eileen Freund	1523 "	"	"
-34	Ronald W & L.L. Brin	1673 "	"	"
-36	Lakeshore Village Owners Ass'n	4661 Winding River Dr.	Stockton	95207
-37	" " "	"	"	"
-38	" " "	"	"	"
	Mr. & Mrs. Roy Denton	2207 Chapparral Court	Lodi, CA	95242
	Al Schimmel	1705 Cape Cod Circl	Lodi, CA	95242

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\* P E T I T I O N \*

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WE, THE RESIDENTS OF LAKESHORE VILLAGE IN LODI, CA., HEREBY PROTEST THE REQUEST MADE TO THE PLANNING COMMISSION BY MARLO KERNER AND MARLENE GUTIERREZ TO AMEND P-D(21), PLANNED DEVELOPMENT DISTRICT NO.21, AS INDICATED IN THE "NOTICE OF PUBLIC HEARING" DATED JUNE 1, 1993.

	NAME & ADDRESS	DATE	PHONE NUMBER
1	Judy Mancasini 1518 Timberlake Cir	6/7/93	369-7948
2	Judy Mancasini 1518 Timberlake Cir	6/7/93	369-7948
3	1512 Timberlake Cir	6/7/93	334-9147
4	Denise Lumbard 1512 Timberlake Cir	6/7/93	334-9147
5	CARLOS ALEGRE 1530 TIMBERLAKE CIR.	6/7/93	339-0951
6	Mildred Albrie	6-7-93	334-0936
7	Laurence W. Albrie	6-7-93	334-0936
8	Christine Haddington 1524 Timberlake Cir. Lodi	6-7-93	369-6058
9	Mr. Freund 1523		368-4767
10	Ferry Freund Timberlake		368-4767
11	Kurt Ryle 1618 Timberlake		368-3539
12	1536 Timberlake Cir		368-4694
13	Marie & John Encalade		368-1220
14	1554 Timberlake Cir		"
15	Judy Weaver 1547 Timberlake Cir Lodi CA		339-8731
16	Doree Redway 1630 Timberlake		3398421

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\* P E T I T I O N \*

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WE, THE RESIDENTS OF LAKESHORE VILLAGE IN LODI, CA., HEREBY  
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 MARLO KERNER AND MARLENE GUTIERREZ TO AMEND P-D(21), PLANNED  
 DEVELOPMENT DISTRICT NO.21, AS INDICATED IN THE "NOTICE OF  
 PUBLIC HEARING" DATED JUNE 1, 1993.

	NAME & ADDRESS	DATE	PHONE NUMBER
✓1	Joseph E. Bewley 1515 Lakeshore Drive	6-8-93	(709) 334-1767
✓2	Janet Goble 1703 Timberlake	6/8/93	209-334-1435
✓3	Jeff Hanson 1703 TIMBERLAKE	6/8/93	209-334-1435
✓4	Sinda Brinn 1673 Timberlake	6-8-93	333-3366
✓5	Diana Thomas 1541 Timberlake		3390366
✓6	Sirde Schreiner <sup>1709</sup> Timberlake		369-1223
✓7	Phil Ovidus 1709 Timberlake		369-1223
✓8	Carol Freeman 1721 Timberlake		339-9454
✓9	Raymond Freeman 6-9-93		339-9454
✓10	Paul S. Miller 6/9/93 1738 Timberlake		333-9638
①	Carla Hitcher 6/9/93 1714 Timberlake Cir		367-4237

(810 Wightman Dr  
Lodi)

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\* P E T I T I O N \*

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	NAME & ADDRESS	DATE	PHONE NUMBER
✓1.	1642 Timberlake Cir	6-8-93	368-4911
✓2.	Danella Schneider	6-8-93	368-4911
✓3.	1660 Timberlake	6-8-93	339-9520
✓4.	1660 Timberlake	6-8-93	11
✓5.	Betty L. Hays	6-8-93	1666 Timberlake Cir
✓6.	Abdalla M. Alajili	6-8-93	369-8310
✓7.	1647 Timberlake Cir	6-8-93	369-8310
✓8.	R.C. Thull	6-8-93	369-4823
✓9.	1547 Timberlake Cir	6-8-93	11
✓10.	1659 Timberlake	6-8-93	369-1745
✓11.	1659 Timberlake	6-8-93	369-1745
✓12.	1542 Timberlake	6-8-93	369-7351
✓13.	1542 Timberlake	6-8-93	369-7351
✓14.	1530 Timberlake	6/8/93	339-0951
✓15.	1673 Timberlake		333-7366
✓16.	1509 Timberlake		368-0592

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\* P E T I T I O N \*

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WE, THE RESIDENTS OF LAKESHORE VILLAGE IN LODI, CA., HEREBY PROTEST THE REQUEST MADE TO THE PLANNING COMMISSION BY MARLO KERNER AND MARLENE GUTIERREZ TO AMEND P-D(21), PLANNED DEVELOPMENT DISTRICT NO.21, AS INDICATED IN THE "NOTICE OF PUBLIC HEARING" DATED JUNE 1, 1993.

NAME & ADDRESS	DATE	PHONE NUMBER
TIMOTHY W CHAMBERS 1745 CAPE CAL CIR 1725 Cape Cal Circle	06/09/93	334-1754
Lisa Getachew	6-9-93	369-0914
Scott Zundgren 1728 Cape Cal Circle	6-9-93	334-1037
Mary Henderson	6-9-93	334-6037
Mike Greenberg 1784 Cape Cal Cir	6-11-93	368-1991
Marlene Choppe 1712 Cape Cal Circle	6-12-93	368-1884
James Slawson		334 3209
Li Jancovics 1708 Cape Cal		334-9404
Frank Matsumoto 1736 Cape Cal Cir		369-3465
Frieda Michelson 1744 Cape Cal Cir		334-2328
Barbara Lutz 1748 C. C. C.		367-1559
Marion W. Woods 1752 C.C.C.		369-8726
James L. Leeler 1752 Cape Cal Circle		369-8726
Ken Matsumoto 1768 Cape Cal Cir		368-1438
Stephanie Keir 1800 CAPE CAL CIR		369-2866
John A. Jilly 1820 Cape Cal Cir		334-1402



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\* P E T I T I O N \*

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WE, THE RESIDENTS OF LAKESHORE VILLAGE IN LODI, CA., HEREBY PROTEST THE REQUEST MADE TO THE PLANNING COMMISSION BY MARLO KERNER AND MARLENE GUTIERREZ TO AMEND P-D(21), PLANNED DEVELOPMENT DISTRICT NO.21, AS INDICATED IN THE "NOTICE OF PUBLIC HEARING" DATED JUNE 1, 1993.

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\* P E T I T I O N \*

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NAME & ADDRESS	DATE	PHONE NUMBER
Ranate Franks 1819 Cape Cod	6-13-93	331-7500
Green Carter 1761 Cape Cod Cir	6-13-93	334-4426
Karen Thornton 1757 Cape Cod Cir	6-13-93	368-7954
Wendy Weiss 1771 Cape Cod Cir	6-13-93	368-6164
Julia Buchmiller 1737 Cape Cod Cir		334-0485
Erin Buchmiller 1737 Cape Cod Cir		334-0485
Lee M. Chapple 1724 Cape Cod Cir		368-1884
Ethel Haley 1704 Cape Cod		334-9643
A.D. Rimeux 1764 Cape Cod		368-7946



WE, THE RESIDENTS OF LAKESHORE VILLAGE IN LODI, CA., HEREBY PROTEST THE REQUEST MADE TO THE PLANNING COMMISSION BY MARLO KERNER AND MARLENE GUTIERREZ TO AMEND P-D(21), PLANNED DEVELOPMENT DISTRICT NO.21, AS INDICATED IN THE "NOTICE OF PUBLIC HEARING" DATED JUNE 1, 1993.

	NAME & ADDRESS	DATE	PHONE NUMBER
✓ 1	LARRY J SCHNEIDER 1647 TIMBER LAKE CIR	6/10/93	334-4587
2	John J. Schneider 1647 TIMBER LAKE CIR	6-10-93	334-4587
3	Maidine Okman 1718 Lakeshore Dr.		368-8676